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Finally, as regards the council, let me indicate that the Director of Central Intelligence was not added to the council. I support the inclusion of the Director and want it to be perfectly clear that I would support the addition of the Director to the council pursuant to the discretionary authority granted the President in this provision.

The final provision in the amended bill that I would like to address is section 108 which concerns solid rocket motors.

Mr. President, both the House-passed and the Senate-passed bills included language that required NASA to do one of two things, either issue a request for proposal for a second source for a redesigned motor or issue a request for proposal for a competitive procurement of a new upgraded solid rocket motor. I am pleased, therefore, the final version maintains these requirements. While the final bill is silent on whether or not there should be a request for proposal for a second source for the upgraded motor, I would like the legislative history to be perfectly clear. The only reason this language was not included was that such a decision could not be made for 4 to 5 years. I am supportive of the concept of second sourcing, regardless of whether it is for a redesigned or for an upgraded solid rocket motor. However, if the Administrator of NASA goes with an upgrade, it would take 4 to 5 years to complete the upgrade, test it, and qualify it. At the point these activities have been completed, I would again support second sourcing if there were benefits to the Nation.

I would like to indicate that NASA played an important role in formulating this solid rocket motor language and that NASA, the House and the Senate all support section 108 and its intent.

Mr. President, I support this legislation, and I hope that my colleagues will do the same. It is important that authorizing committees fulfill their responsibilities, set priorities, establish policies, and provide sufficient resources. While I have some reservations with the final legislation, I feel H.R. 5495 is a good bill and a first step in the rehabilitation of NASA and the Nation's Space Program. ●

AMENDMENT NO. 3509

Mr. DOLE. Mr. President, I move that the Senate concur in the House amendment with a further Senate amendment which I send to the desk on behalf of Senator Gorton.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for Mr. GORTON, proposes an amendment numbered 3509 to the amendment of the House to the Senate amendment.

Mr. DOLE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In section 111(a)—

(1) strike "The Administrator is authorized and encouraged" and insert in lieu thereof "If the Administrator, with the concurrence of the United States Trade Representative and the Secretaries of State and Commerce, determines that the public interest so requires, the Administrator is authorized"; and

(2) insert the following at the end:

"In determining under this subsection whether the public interest so requires, the Administrator shall take into account United States international obligations and trade relations."

Strike subsection (b) of section 111, and redesignate subsections (c) and (d) as subsections (b) and (c), respectively.

At the end of title I, insert the following: "Sec. 112. (a) There is hereby established, in the Executive Office of the President, the National Space Council (hereafter in this section referred to as the 'Council'), which shall be composed of—

"(1) the Vice President, who shall be Chairman of the Council;

"(2) the Secretary of State;

"(3) the Secretary of Defense;

"(4) the Secretary of Commerce;

"(5) the Secretary of Transportation;

"(6) the Administrator, who shall be the Vice Chairman of the Council; and

"(7) such other members as the President may appoint.

"(b) In the absence of the Vice President, the Administrator shall preside over meetings of the Council.

"(c) Each member of the Council may designate an officer of their department or agency to serve on the Council as their alternative in their unavoidable absence.

"(d) It shall be the function of the Council to advise the President, as the President may request, with respect to the following functions:

"(1) survey of ongoing civilian space activities;

"(2) review of long-range goals for civilian space activities;

"(3) coordination of civilian space activities among civilian agencies and with agencies involved in national security space activities; and

"(4) interagency cooperation in civilian space activities.

"(e) The Council may employ a staff to be headed by a civilian executive secretary who shall be appointed by the President. The executive secretary, subject to the direction of the Council, is authorized to appoint and fix the compensation of such personnel, including not more than seven persons, as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions. Each appointment under this subsection shall be subject to the same security requirements as those established for personnel of the National Aeronautics and Space Administration appointed under section 203(c)(2) of the National Aeronautics and Space Act of 1958. Other provisions of law or regulations relating to Government employment shall apply to employees of the Council reporting directly to the Chairman to the extent that such provisions are applicable to employees in the Office of the Vice President.

"(f)(1) The Council shall establish a Users' Advisory Group composed of nine non-Federal representatives of industries and other persons involved in space activities.

"(2) The Vice President shall name a Chairman of the Users' Advisory Group.

"(3) The Council shall from time to time, but not less often than once a year, meet with the Users' Advisory Group.

"(4) The function of the Users' Advisory Group is to ensure that the interests of non-Federal entities involved in space activities, including in particular commercial entities, are adequately represented in the Council."

Strike section 307, and redesignate section 308 as section 307.

At the end, add the following:

"SEC. 602. PUBLIC WARNING AND FORECAST SERVICES.

"(a) There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its public warning and forecast service duties under law, \$330,598,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to public warning and forecast specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.), the Act entitled 'An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes', approved August 6, 1947 (33 U.S.C. 883a et seq.), and by any other law involving such duties. Such duties include meteorological, hydrological, and oceanographic public warnings and forecasts.

"(b) Of the amount authorized to be appropriated by subsection (a) of this section, \$45,500,000 is authorized to be appropriated only for activities related to the Next Generation Weather Radar Program. Such activities may include site surveys, preparation for production radars, limited radar production, initial operational test and evaluation of radars, training of personnel, release of long lead items for full production, award of the production contract, and land acquisition for radar sites.

"(c) It is the sense of the Congress that procurement and deployment of essential weather technologies, and the resultant modernization of the National Weather Service, should continue on schedule in order to improve the protection of the public and to increase the productivity of the Nation's economy. Such technologies shall include, but not be limited to, the Next Generation Weather Radar Program (NEXRAD), the Advanced Weather Interactive Processing System (AWIPS), the Automated Surface Observing System (ASOS), and the Profiler System.

"(d) At the time of submission of the fiscal year 1988 budget, the National Oceanic and Atmospheric Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives a comprehensive long-range plan on how the National Weather Service shall utilize planned weather technologies to provide effective weather services to meet national needs. This plan shall address, among other things, National Weather Service office structure and organization, its staffing and budgetary profiles, its role in providing weather services to the public, and a phased plan for deployment of weather-related technology and equipment.

"SEC. 603. ATMOSPHERIC AND HYDROLOGICAL RESEARCH.

"There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its atmospheric and hydrological research duties under law,

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\$68,044,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to atmospheric and hydrological research specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.), and by any other law involving such duties. Such duties include research for developing improved prediction capabilities for atmospheric and hydrological processes.

"SEC. 504. SATELLITE SERVICES.

"There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its satellite services duties under law, \$72,606,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to satellite services specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.), the National Aeronautics and Space Administration Authorization Act, 1955, approved July 16, 1954 (Public Law 98-351; 98 Stat. 422), and by any other law involving such duties. Such duties include satellite maintenance and operations and satellite data analysis.

"SEC. 505. SATELLITE SYSTEMS.

"There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its satellite systems duties under law, \$168,139,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used by the National Oceanic and Atmospheric Administration to continue operating two polar-orbiting meteorological satellites in fiscal year 1987 and to continue procurement of polar-orbiting meteorological satellites (NOAA I-M) in fiscal year 1987. In addition, such moneys shall be used to fund those duties relating to satellite systems specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.). The National Aeronautics and Space Administration Authorization Act, 1955, approved July 16, 1954 (Public Law 98-351; 98 Stat. 422), and by any other law involving such duties. Such duties include spacecraft procurement, launch, and associated ground station system changes involving polar-orbiting and geostationary environmental satellites.

"SEC. 506. DATA AND INFORMATION SERVICES.

"There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its data and information services duties under law, \$22,734,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to data and information services specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.), and by any other law involving such duties. Such duties include environmental data and information products and services in the atmospheric, marine, solid earth, and solar-terrestrial sciences."

● Mr. GORTON. Mr. President, I along with the Chairman of the Com-

mittee on Commerce, Science, and Transportation, Senator DANFORTH; the ranking member of the Commerce Committee, Senator HOLLINGS; and the ranking member of the Subcommittee on Science, Technology, and Space, Senator RIEGLE, offer for consideration four perfecting amendments to H.R. 5495, the fiscal year 1987 NASA authorization bill that the House passed on October 15.

Mr. President, it is worth mentioning briefly the chronology of congressional action on the fiscal year 1987 NASA authorization bill. On October 10, the Senate passed by unanimous consent H.R. 5495, the fiscal year 1987 NASA authorization bill which had been developed, by and large, in cooperation with the House managers of the NASA authorization bill. On October 15, the House passed its fiscal year 1987 NASA authorization bill, which was quite similar to that which the Senate had passed, with a few exceptions. And just today, the Senate managers of the NASA authorization bill met with the House managers to reach agreement on the few remaining issues in dispute.

I am please that the perfecting amendments that I am offering today reflect the agreements that were reached with the House managers. The amendments "close the loop" on developing a NASA authorization bill which funds adequately NASA's ongoing programs and the activities necessary to recover from the Challenger accident. These amendments also refine certain policy issues to which the Senate has previously agreed and which are required to steer our space program back to its previous position of leadership.

Mr. President, I will briefly describe the four perfecting amendments, some of which are simply technical in nature.

The first amendment concerns a "Buy America" provision which the House has included in its bill but which the Senate did not include in its bill. The House amendment allowed the NASA Administrator to award to a domestic firm a contract that, under the use of competitive procedures, would otherwise be awarded to a foreign firm, if certain conditions pertaining to domestic content, location of final assembly, and bid are met. This perfecting amendment requires the concurrence of the NASA Administrator, the U.S. Trade Representative, and the Secretaries of Commerce and State that the award of a qualified contract to a domestic firm is in the public interest. This amendment also requires that U.S. international obligations and trade relations must be taken into account in making this procurement decision. This perfecting amendment makes this "Buy America" language more responsive to our overall trade responsibilities and to the needs of NASA.

The second amendment deletes language from the House bill that directs

NASA to charge "additive" rather than "full" costs for the use of its launch facilities by a commercial launch operator. It has been determined that this language could present problems for commercial firms that are attempting to provide commercial launch services that NASA is currently providing and from which NASA is attempting to withdraw. With the deletion of this language, companies involved in commercial space launch activities will not have to compete against the Federal Government, which, in this particular case, would hold a distinct economic advantage. This amendment assists the infant industry of space commercialization and still permits both the government and industry to provide the critical services and facilities necessary to support our civilian space program.

The third amendment establishes a National Space Council in lieu of a National Aeronautics and Space Council, to which the Senate had previously agreed. This amendment narrows the scope of a National Aeronautics and Space Council in response to the magnitude of space policy issues that our nation has been forced to address this year. This amendment is in no way intended to diminish the priority of national aeronautical issues that could arise in the future. Nevertheless, it is the belief of the managers of the NASA authorization bill that a policy-making body that addresses only space policy issues will be able to resolve more promptly these issues and thereby improve the quality of our space program.

The scope of the Council is also narrowed from the earlier concept to address more specifically civilian space policy issues, rather than civilian and military space policy issues. The resolution of these civilian space policy issues would, however, be coordinated with the agencies that have an interest in national security space policy issues.

As for the membership of this National Space Council, it would include the Vice President as Chairman and the NASA Administrator as the Vice Chairman. Also serving as voting members would be the Secretaries of State, Defense, Commerce, and Transportation. Also, the President would have the authority to appoint other members to the Council. I believe that one such appointed member should be the Director of Central Intelligence, who has responsibility over the space programs of the Central Intelligence Agency (CIA) and the National Security Council (NSC). The space programs of the CIA and the NSC are so intertwined in the total fabric of our national space program, that their interests cannot be adequately represented by anyone other than the Director of Central Intelligence. Having the Director of Central Intelligence as a member of this Council would provide for a more comprehensive and re-

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sponsible coordination of our Nation's space activities.

The fourth and last of these perfecting amendments provides the fiscal year 1987 authorization for the atmospheric and satellite programs of the National Oceanic and Atmospheric Administration (NOAA). These programs include the activities of the National Weather Service and the procurement, launch, and operation of NOAA's weather satellite systems. The amendment is similar to sections 22 through 26 of the bill as passed by the Senate on October 10, 1986, and the authorization levels are consistent with appropriated levels. I remind my colleagues that full authorization has been provided for the National Climate Program (Public Law 99-272) and commercialization of NOAA's land remote sensing satellite [Landsat] system (Public Law 99-62), and this bill does not address those programs.

Finally, Mr. President, I would like to comment on the cooperation and assistance of the House managers of the NASA authorization bill who were integrally involved in the development of this legislation. The chairman of the Science and Technology Committee, Representative DON FUQUA; the ranking member of the Science Committee, Representative MANUEL LUJAN; the chairman of the Space Science and Applications Subcommittee, Representative BILL NELSON; and the ranking member of the Space Science Subcommittee, Representative BOB WALKER, each played a vital role in crafting this authorization bill and should be commended for their insight into these difficult issues. Also, I would like to compliment the excellent work of several key staff members who contributed significantly to the development of this bill. These staff members are Marty Kress of the Senate Commerce Committee, John Graykowski of Senator RIEGLE's office, and of the House Science and Technology Committee, Rad Byerly, Harriett Smith, Terry Dawson, Bill Smith, Lillian Trippet, and Dave Clement. Without their efforts, we would have been unable to have come this far in the resolution of these issues.

Mr. President, these amendments do not detract from the essence of the fiscal year 1987 NASA authorization bill that the Senate passed on October 10. In fact, these amendments improve the bill and its chances of immediate passage by Congress in the waning hours of this session. The House managers have indicated that these amendments are not inconsistent with the essence of the bill which the House passed on October 15. Therefore, I urge my colleagues to approve by unanimous consent these four perfecting amendments and thereby provide NASA with the funding and policy guidance necessary for a Space Program that best meets our national needs and requirements.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3509) was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion to concur.

The motion was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MAKING TIME SPENT IN THE CADET NURSE CORPS CREDITABLE FOR CIVIL SERVICE RETIREMENT

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of H.R. 2663, the cadet nurse corps bill which is being held at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2663) to amend title 5, United States Code, to credit time spent in the Cadet Nurse Corps during World War II as creditable for civil service retirement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

There being no objection, the Senate proceeded to consider the bill.

Mr. DOLE. Mr. President, the U.S. Cadet Nurse Corps was established by Congress in June 1943 as an emergency program to provide an adequate supply of nurses at home and for the military overseas. These cadets used Government facilities, did Government work, were subject to the supervision of the U.S. Public Health Service, and received Government paychecks. Yet they failed to be formally inducted into the Federal civil service. As a result, 3 years of hard work by many dedicated Americans were not credited toward Social Security or civil service retirement. This oversight results from an unfortunate interpretation that these cadets were merely participants in a Federal training program and not employees of the Government. We now have the opportunity to correct this inequity and credit those Nurse Corps cadets who continued to serve our Government.

I believe that it is important that we recognize a distinction between these cadet nurses and a number of other groups seeking civil service retirement credit. These nurses were part of the war effort and were essentially working as part of the Government during the national mobilization at that time. Over the years, Congress has chosen to recognize the almost-Federal nature of a number of these groups by granting them civil service retirement credit. This bill would merely provide equitable treatment for this group.

This is quite different from providing civil service retirement for ongoing groups of individuals for service which is clearly and unarguably non-Federal. Providing retirement benefits for such individuals at the taxpayer's expense is clearly unwarranted.

Mr. President, we should not allow a technicality to stand in the way of fairness. We should allow these cadets to qualify for service they have already earned.

AMENDMENT NO. 3510

(Purpose: To amend title 5, United States Code, to provide civil service retirement credit for certain employees and former employees of nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces)

Mr. DOLE. Mr. President, on behalf of the distinguished Presiding Officer, Senator STEVENS, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], on behalf of Mr. STEVENS, proposes an amendment numbered 3510.

Mr. DOLE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment reads as follows:

At the appropriate place in the _____, insert the following new section:

SEC. ____ RETIREMENT CREDIT FOR CERTAIN FORMER EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES.

(a) SHORT TITLE.—This section may be cited as the "Nonappropriated Fund Instrumentalities Employees' Retirement Credit Act of 1986".

(b) IN GENERAL.—(1) Section 2105(c)(1) of title 5, United States Code, is amended by inserting "of this title, subchapter III of chapter 83 of this title to the extent provided in section 8332(b)(16) of this title," after "chapter 53".

(2) Subsection (b) of section 8332 of such title is amended—

(A) by striking out "and" at the end of paragraph (14);

(B) by striking out the period at end of paragraph (15) and inserting in lieu thereof "; and";

(C) by inserting after paragraph (15) the following new paragraph:

"(16) service performed by any individual as an employee described in section 2105(c) of this title after June 18, 1952, and before January 1, 1966, if (A) such service involved conducting an arts and crafts, drama, music library, service club, youth activities, sports, or recreation program (including any outdoor recreation program) for personnel of the armed forces, and (B) such individual is an employee subject to this subchapter on the day before the date of the enactment of the Nonappropriated Fund Instrumentalities Employees' Retirement Credit Act of 1986," and

(D) by adding at the end thereof the following: "The office of Personnel Management shall accept, for the purposes of this subchapter, the certification of the head of a nonappropriated fund instrumentality of the United States concerning service of the

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be able to explain the bill and the amendments at that time.

**REQUEST FOR CONSIDERATION
OF H.R. 5495, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1987**

Mr. NELSON of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5495) to authorize appropriations to the National Aeronautics and Space Administration, and for other purposes, with a Senate amendment to the House amendment to the Senate amendment thereto, and concur in the Senate amendment to the House amendment to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment to the House amendment to the Senate amendment, as follows:

Page 14, lines 18 and 19, strike out "The Administrator is authorized and encouraged" and insert: "If the Administrator, with the concurrence of the United States Trade Representative and the Secretaries of State and Commerce, determines that the public interest so requires, the Administrator is authorized".

Page 15, line 2 after "percent" insert: "In determining under this subsection whether the public interest so requires, the Administrator shall take into account United States international obligations and trade relations."

Page 15, strike out lines 4 to 9.

Page 15, line 10, strike out "(c)" and insert: "(b)".

Page 15, line 16, strike out "(d)" and insert: "(c)".

Page 15, after line 20, insert:

Sec. 112. (a) There is hereby established, in the Executive Office of the President, the National Space Council (hereafter in this section referred to as the 'Council'), which shall be composed of—

- (1) the Vice President, who shall be Chairman of the Council;
- (2) the Secretary of State;
- (3) the Secretary of Defense;
- (4) the Secretary of Commerce;
- (5) the Secretary of Transportation;
- (6) the Administrator, who shall be the Vice Chairman of the Council; and
- (7) such other members as the President may appoint.

(b) In the absence of the Vice President, the Administrator shall preside over meetings of the Council.

(c) Each member of the Council may designate an officer of their department or agency to serve on the Council as their alternate in their unavoidable absence.

(d) It shall be the function of the Council to advise the President, as the President may request, with respect to the following functions:

- (1) survey of ongoing civilian space activities;
- (2) review of long-range goals for civilian space activities;
- (3) coordination of civilian space activities among civilian agencies and with agencies involved in national security space activities; and
- (4) interagency cooperation in civilian space activities.

(e) The Council may employ a staff to be headed by a civilian executive secretary who shall be appointed by the President. The executive secretary, subject to the direction of the Council, is authorized to appoint and fix

the compensation of such personnel, including not more than seven persons, as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions. Each appointment under this subsection shall be subject to the same security requirements as those established for personnel of the National Aeronautics and Space Administration appointed under section 203(c)(2) of the National Aeronautics and Space Act of 1958. Other provisions of law or regulations relating to Government employment shall apply to employees of the Council reporting directly to the Chairman to the extent that such provisions are applicable to employees in the Office of the Vice President.

"(f)(1) The Council shall establish a Users' Advisory Group composed of nine non-Federal representatives of industries and other persons involved in space activities.

(2) The Vice President shall name a Chairman of the Users' Advisory Group.

(3) The Council shall from time to time, but not less often than once a year, meet with the Users' Advisory Group.

(4) The function of the Users' Advisory Group is to ensure that the interests of non-Federal entities involved in space activities, including in particular commercial entities, are adequately represented in the Council.

Page 22, strike out lines 3 to 10.

Page 22, line 11, strike out "308" and insert "307".

Page 27, after line 24, insert:

"SEC. 602. PUBLIC WARNING AND FORECAST SERVICES.

"(a) There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its public warning and forecast service duties under law, \$330,598,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to public warning and forecast specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.), the Act entitled 'An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes', approved August 6, 1947 (33 U.S.C. 883a et seq.), and by any other law involving such duties. Such duties include meteorological, hydrological, and oceanographic public warnings and forecasts.

"(b) Of the amount authorized to be appropriated by subsection (a) of this section, \$45,500,000 is authorized to be appropriated only for activities related to the Next Generation Weather Radar Program. Such activities may include site surveys, preparation for production radars, limited radar production, initial operational test and evaluation of radars, training of personnel, release of long lead items for full production, award of the production contract, and land acquisition for radar sites.

"(c) It is the sense of the Congress that procurement and deployment of essential weather technologies, and the resultant modernization of the National Weather Service, should continue on schedule in order to improve the protection of the public and to increase the productivity of the Nation's economy. Such technologies shall include, but not be limited to, the Next Generation Weather Radar Program (NEXRAD), the Advanced Weather Interactive Processing System (AWIPS), the Automated Surface Observing System (ASOS), and the Profiler System.

"(d) At the time of submission of the fiscal year 1988 budget, the National Ocean-

ic and Atmospheric Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives a comprehensive long-range plan on how the National Weather Service shall utilize planned weather technologies to provide effective weather services to meet national needs. This plan shall address, among other things, National Weather Service office structure and organization, its staffing and budgetary profiles, its role in providing weather services to the public, and a phased plan for deployment of weather-related technology and equipment.

"SEC. 603. ATMOSPHERIC AND HYDROLOGICAL RESEARCH.

"There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its atmospheric and hydrological research duties under law, \$68,044,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to atmospheric and hydrological research specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.), and by any other law involving such duties. Such duties include research for developing improved prediction capabilities for atmospheric and hydrological processes.

"SEC. 604. SATELLITE SERVICES.

"There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its satellite services duties under law, \$72,806,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used to fund those duties relating to satellite services specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.), the National Aeronautics and Space Administration Authorization Act, 1985, approved July 16, 1984 (Public Law 98-361; 98 Stat. 422), and by any other law involving such duties. Such duties include satellite maintenance and operations and satellite data analysis.

"SEC. 605. SATELLITE SYSTEMS.

"There are authorized to be appropriated to the Department of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its satellite systems duties under law, \$168,139,000 for fiscal year 1987. Moneys appropriated pursuant to this authorization shall be used by the National Oceanic and Atmospheric Administration to continue operating two polar-orbiting meteorological satellites in fiscal year 1987 and to continue procurement of polar-orbiting meteorological satellites (NOAA I-M) in fiscal year 1987. In addition, such moneys shall be used to fund those duties relating to satellite systems specified by the Act entitled 'An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture', approved October 1, 1890 (15 U.S.C. 311 et seq.), the National Aeronautics and Space Administration Authorization Act, 1985, approved July 16, 1984 (Public Law 98-361; 98 Stat. 422), and by any other law involving such duties. Such duties include spacecraft procurement, launch, and associated ground station system changes involving polar-or-

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biting and geostationary environmental satellites.

—REL 606 DATA AND INFORMATION SERVICES.

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Mr. CHENEY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. CHENEY. Reserving the right to object, Mr. Speaker, it is not my intention to object, but I make my reservation so that the gentleman from Florida may have an opportunity to explain his request.

Mr. NELSON of Florida. Mr. Speaker, will the gentleman yield?

Mr. CHENEY. I yield to the gentleman from Florida.

Mr. NELSON of Florida. I thank the gentleman for yielding.

Mr. Speaker, this is the NASA authorization bill that we have worked out very carefully over the course of the last several months. It has had the concurrence of both sides of the aisle in this body, as well as the other body. It should have been through the legislative process long before this, but as the gentleman knows, there were a number of items that were noncontroversial that were held up in the logjam down in the other body. That is why we come at this late hour.

This has the authorization for the funding for NASA for fiscal year 1987. It includes the authorization for the replacement orbiter. It includes the authorization for NASA to proceed to acquire launch services for certain expendable launch vehicles that they may need to work off the tremendous backlog of Government satellites that we now have to get launched to proceed with the Nation's space program. It in essence reflects in large part, with a few minor adjustments that we worked out with the other body, the vote of some 407 to 8 by which the NASA authorization bill passed this House about 3 weeks ago.

□ 1955

I will be happy to go into much greater detail if the gentleman would so desire.

Mr. CHENEY. Mr. Speaker, I thank the gentleman for his explanation.

Mr. DAUB. Mr. Speaker, will the gentleman yield?

Mr. CHENEY. Under my reservation of objection, I yield to the gentleman from Nebraska.

Mr. DAUB. Mr. Speaker, I thank the gentleman for yielding under his reservation for the purposes, if I might, of entering into a colloquy with the distinguished gentleman from Florida [Mr. NELSON] who has just finished explaining this piece of legislation that is before the House by unanimous-consent request.

Mr. CHENEY. Under my reservation of objection, I yield to the gentleman from Nebraska for that purpose.

Mr. DAUB. Mr. Speaker, I would ask the gentleman from Florida [Mr. NELSON], were any substantive changes made in this legislation in the other body pending its being sent here to us to consider tonight by unanimous consent?

Mr. NELSON of Florida. Mr. Speaker, will the gentleman yield?

Mr. CHENEY. I yield to the gentleman from Florida.

Mr. NELSON of Florida. Mr. Speaker, with regard to the Space Policy Council, there were just a few minor changes that I do not think you could consider substantive that were made.

The only substantive thing that I can think of is that the other body wanted the position of having the NOAA authorization added to the NASA authorization bill. It is included. That was agreed to by all sides of the aisle in both bodies, and it is a noncontroversial item and includes an item concerning the National Weather Service plan that is of significant interest to the gentleman from Nebraska.

Mr. DAUB. Indeed, the gentleman is right, and I thank him for his explanation. We are pleased, as a matter of fact, that in the other body, although the matters were not joined in that manner in the first place, that to our bill they have added the NOAA provisions, of particular interest to this individual, to this Member from Nebraska for its long range weather satellite forecasting research that will be done; that could be of great benefit to the Midwest and to agriculture especially.

I am glad for that additional substantive change to the NASA bill, a bill that I know the gentleman has worked very hard on and is bringing to the floor on this day after most of our other work has been concluded, the day after most of our leadership has gone home, when we find that indeed all of those in leadership and all of those ranking and minority members of the subcommittee and full committee on which the gentleman serves have agreed because they are the experts on this particular set of legislation before us.

They have attended the hearings, they have studied the problems, and I know that most of us in this body do

rely in fact upon the expertise and the knowledge and the skill that is possessed by those who serve on the committees of jurisdiction before any particular piece of legislation is brought to this body, particularly under the more difficult circumstances of a unanimous-consent request, where indeed any one Member could obstruct the process and hold a bill like this, with all of its value for many Members on both sides of the aisle, and on both sides of the Congress, both sides of this building, from becoming the law and being sent to the President for his signature.

And I do think that we all recognize that particularly at this late hour any one Member then in the House could exercise the same kind of a prerogative that a Member of the other body could do, remembering, of course, that the pay is the same, but at this late hour, without a quorum in either the House or the Senate, any one Member here tonight could object and, by doing so, effectively kill any piece of legislation that might be brought to the floor of the House for unanimous-consent request.

It is a very difficult process for me to stand and watch a series of bills that includes boat safety, District of Columbia jury system, the Cadet Nurse Corps, NASA reauthorization, which we are talking about right now, a bill concerning the Export Administration, a bill concerning technical corrections in reconciliation with respect to Medicare, a bill that deals with refugee assistance, and another one that deals with amendments to the Immigration Act that could, indeed, be held up by one Member who would for any good reason desire to enter an objection to the unanimous-consent request.

I notice that absent from this particular list of bills, which have evidently been agreed to by the majority and by the minority and by the ranking and the majority and the Republican ranking members of the committees affected, are the Technical Corrections Act to the tax bill, the enrolling concurrent resolution to the tax bill. They do not appear on this particular list subject to an agreement on both sides. And before I would allow this particular piece of legislation to move forward, without interposing my objection to the bill, I would like to ask some further questions of my leadership, if I might.

Would my leader, the gentleman from Wyoming, continue to yield to me under his reservation of objection?

Mr. CHENEY. Mr. Speaker, under my reservation of objection I continue to yield to the gentleman from Nebraska.

Mr. DAUB. Would the gentleman explain to me why the enrolling resolution to the concurrent resolution for the Tax Reform Act of 1986 does not appear on this list of evidently agreed to unanimous-consent requests?

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Mr. CHENEY. This list was compiled in accordance with the wishes of the Speaker, the majority leader, and the minority leader in a meeting held late last night, and at that time it was agreed that measures would be taken up today, prior to adjournment sine die, on which there was no disagreement between the two parties. If there was a bill which we anticipated would be objected to, then it would not appear on the list, it would not be brought up, and there would be no unanimous-consent requests made for its passage. That is why this particular list was put together.

Obviously we could not be certain when we put the list together that every single one of these measures will fly. Any Member on the floor is free to object to any of the items on the list, but the reason the specific issue the gentleman is interested in was not put on the list was because it was very clear from our conversation with a number of Members that, in fact, it would be objected to.

Mr. DAUB. I thank the gentleman for his answer. Would the gentleman continue to yield?

Mr. CHENEY. Certainly, under my reservation of objection I yield to the gentleman from Nebraska.

Mr. DAUB. I would like to inquire, Mr. Speaker, as to whether or not at the hour of agreement on this particular list, although I am advised there were many more items on the list at the time as well, that there was an agreement that nothing be put on here that had any changes made in the Senate, intervening the agreement last night; that is to say, for example, with reference to the bill we are just talking about, was it the knowledge of the leadership at the time that the agreement would be made in the Senate to put on the additional information to the authorization bill for NASA?

Mr. CHENEY. No, there was no such agreement made. The agreement was as I stated it, and the gentleman is correct, there were a number of items, not only the concurrent resolution for the technical amendments to the Tax Act, but a number of other items as well on which disagreement was anticipated and, therefore, they do not appear on the list. And it is not expected that they would be brought up under unanimous-consent requests tonight.

Mr. DAUB. Mr. Speaker, at the appropriate time, I would have to inquire of the Chair, if the gentleman will continue to yield under his reservation of objection, and I would like to speak to what I think are the important points of the concurrent resolution on the tax bill to be sure that in this record we have an elaboration of the reasons why I believe that bill, too, should be taken up tonight, passed in some form and sent back to the other body who awaits that particular measure.

Until such time as it would be advisable, I would object to any further consideration of any of the unanimous-consent requests that might be brought to the House until I know whether I would have a chance to speak on the tax bill and enter into several colloquys with some of my colleagues who are also here interested in that matter as well. For it seems to me that if there are going to be objections to that being brought up, then indeed we who are interested in that piece of legislation ought to have our opportunity to discuss the matter before we agree to legislation at this late hour procedurally that other Members are here interested in having passed at this time.

Mr. CHENEY. If I may reclaim my time, I would be happy at this point, under my reservation, to continue to yield to the gentleman.

The SPEAKER pro tempore. The Chair would be glad to respond to the question.

It would be the Chair's intention, after agreeing to such unanimous-consent requests as can be agreed to, to then recognize Members for the purposes of discussing items which they may want to address. The gentleman from Texas, of course, is now expressing his own intention to do that.

So the Chair will assure the gentleman that there will be that opportunity during the course of the evening before the House adjourns.

Mr. DAUB. Will the gentleman continue to yield under his reservation of objection?

Mr. CHENEY. I continue to yield to the gentleman from Nebraska.

Mr. DAUB. Mr. Speaker, I thank the gentleman from Wyoming for allowing the Chair to give this Member that explanation.

I wish to say to all of the Members here present that it is my intention to object presently until such time as I can get a further clarification with respect to the reason why the tax bill is not on this list, and give other Members a chance to enjoy the benefit of the thinking of other Members who are in the Chamber with respect to that very important piece of legislation that is so near to final passage.

If, in fact, under the reservation of the gentleman from Wyoming I might be permitted the indulgence of the House and the gentleman from Wyoming to express my views on the tax bill that is not a part of this list at the present time, and if in fact that might, I would suggest, expedite the matters of the House in moving to the other items on this list, then that might be the appropriate decision.

□ 2005

Mr. Speaker, I was on my feet as was the gentleman from Wyoming at the time he was recognized for his reservation. When he no longer has a reservation, than I shall reimpose my request to the Chair for a reservation and at the time object unless I have had the

opportunity to talk about the tax bill, before any requests are granted.

Mr. CHENEY. Mr. Speaker, I withdraw my reservation of objection.

Mr. NELSON of Florida. Mr. Speaker, since there are different agendas being expressed here, I would ask unanimous consent that we withdraw consideration of this particular bill at this time.

The SPEAKER pro tempore. The Chair will state to the gentleman that he does not need unanimous consent at this time to withdraw the request.

Mr. NELSON of Florida. Then, Mr. Speaker, I withdraw it.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2443. An act to limit the number of days a depository institution may restrict the availability of funds which are deposited in any account.

EXPRESSION OF LEGISLATIVE CONCERN

Mr. DAUB. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DAUB. Mr. Speaker, I want to say to my colleagues that this is not a very easy, and indeed not a very pleasant circumstance to be in, and I do not relish the obligation that I feel that I do have to speak at this point on the matter which I talked about a moment ago when I expressed my concern for the absence from the list of agreed unanimous-consent requests that the concurrent and enrolling resolution to the Tax Reform Act of 1986 be included at this late hour in the final business of the Congress.

The vast majority of the provisions in the concurrent resolution have had a good deal of sunlight brought to bear upon them. The concurrent resolution following its passage was enrolled and printed, House Concurrent Resolution 395, for every Member of the House of Representatives. Now, that is since the 25th of September, for every Member to have had the opportunity to examine. In fact, it is a print. It is a print; it is a passed, enrolled concurrent resolution.

So there can be no Member rise on this floor at this hour to say that they did not know what was essentially in, and/or was 90 percent of, the content of that resolution.

In both cases with respect to the additional perfections, as we move the concurrent resolution on the date of the final passage of the Tax Reform Act from the House to the other body, wherein they added to it certain

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The Clerk read the Senate amendments, as follows:

Page 3, after line 20, insert:

SEC. 5. RETIREMENT CREDIT FOR CERTAIN FORMER EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES

(a) **SHORT TITLE.**—This section may be cited as the "Nonappropriated Fund Instrumentalities Employees' Retirement Credit Act of 1986".

(b) **IN GENERAL.**—(1) Section 2105(c)(1) of title 5, United States Code, is amended by inserting "of this title, subchapter III of chapter 83 of this title to the extent provided in section 8332(b)(1) of this title," after "chapter 53".

(2) Subsection (b) of section 8332 of such title is amended—

(A) by striking out "and" at the end of paragraph (14);

(B) by striking out the period at the end of paragraph (15) and inserting in lieu thereof "; and";

(C) by inserting after paragraph (15) the following new paragraph:

"(16) service performed by any individual as an employee described in section 2105(c) of this title after June 18, 1952, and before January 1, 1966, if (A) such service involved conducting an arts and crafts, drama, music, library, service club, youth activities, sports, or recreation program (including any outdoor recreation program) for personnel of the armed forces, and (B) such individual is an employee subject to this subchapter on the day before the date of the enactment of the Nonappropriated Fund Instrumentalities Employees' Retirement Credit Act of 1986."; and

(D) by adding at the end thereof the following: "The Office of Personnel Management shall accept, for the purposes of this subchapter, the certification of the head of a nonappropriated fund instrumentality of the United States concerning service of the type described in paragraph (16) of this subsection which was performed for such nonappropriated fund instrumentality.".

(c) **EFFECTIVE DATE.**—Notwithstanding any other provision of this Act which specifies an effective date for amendments made by this Act, the amendments made by this section shall take effect on the date of the enactment of this Act.

Amend the title so as to read: "An Act to amend title 5, United States Code, to credit time spent in the Cadet Nurse Corps during World War II as creditable service for civil service retirement, and to provide civil service retirement credit for certain employees and former employees of nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces.".

Mr. UDALL (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The SPEAKER pro tempore. The Chair wishes to state to the Members that it will be the Chair's intention to recognize the acting minority leader for a reservation of objection and he will then recognize another Member to make a reservation of objection subsequent thereto.

Is there objection to the initial request of the gentleman from Arizona?

Mr. CHENEY. Mr. Speaker, reserving the right to object, I yield to the gentleman from Arizona.

Mr. UDALL I thank the gentleman for yielding.

Mr. Speaker, this is a modest bill which came out of the Committee on Post Office and Civil Service providing retirement benefits for some 20 cadet women who served during World War II.

The other body added another similar group with similar qualifications to receive the same kind of benefit.

Mr. CHENEY. I thank the gentleman for his explanation.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Michigan.

Mr. DINGELL. I thank the gentleman from Wyoming [Mr. CHENEY].

My concern is what are the Senate amendments?

Mr. CHENEY. Under my reservation, I yield further to the gentleman from Arizona.

Mr. UDALL. The Senate amendment added approximately 150 to 200 additional women who have had the same or similar qualifications. The House bill dealt with women who had served in World War II.

Mr. DINGELL. If the gentleman will yield further, are there any other amendments relating to any other matter other than women who served as nurses or have qualifications along those lines.

Mr. UDALL. No, no other, nothing.

Mr. DINGELL. Nothing, no other matter, nothing that relates to any other matter that might be in the jurisdiction of another committee?

Mr. UDALL. No, no clinkers or hooks or anything of that sort.

Mr. DINGELL. I thank the gentleman.

Mr. CHENEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Arizona?

There was no objection.

A motion to reconsider was laid on the table.

REQUEST FOR CONSIDERATION OF H.R. 5495 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1987

Mr. NELSON of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5495) to authorize appropriations to the National Aeronautics and Space Administration, and for other purposes, with a Senate amendment to the House amendment to the Senate amendment thereto, and concur in the Senate amendment to the House amendment to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment to the House amendment to the Senate amendment.

(For the text of the Senate amendment to the House amendment to the Senate amendment, see prior pages of the RECORD of today.)

Mr. NELSON of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Florida?

Mr. NELSON of Florida. I thank the gentleman for yielding and with a great degree of sensitivity, recognizing the delicacy of the process that is going on here, it is, as we have described previously, the NASA authorization bill of which the Senate amendment made minor modifications in the National Space Council which was a part of the bill as it passed the House some several weeks ago by the whopping margin of something like 410 to 8, and the remainder of the Senate amendment authorizes the atmospheric and satellite activities of the National Oceanic and Atmospheric Administration.

Mr. CHENEY. I thank the gentleman for his explanation.

Under my reservation, I yield to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. I thank the distinguished gentleman and appreciate his yielding to me.

I have several questions about this legislation which has been discussed briefly earlier.

The question is are there any other amendments relating to any other matters in this legislation?

Mr. NELSON of Florida. No, sir.

Mr. DINGELL. And no authorization amendments, they relate solely to the matters described and not to any further or other matters?

Mr. NELSON of Florida. Staff has advised me here. Let me talk about minor portions that were changed in the agreement that was reached by both sides of the aisle between both bodies of the Congress. For example, there is a section that was called the "Buy American" section that was passed in the House bill. There was minor modification to that language in the Senate amendment. For example, the language as passed here in the House said "the Administrator is authorized and encouraged to award to a domestic firm a contract," and so forth, and it went on to describe where they would look to a domestic firm as having preference. A minor modification of the language was changed to "if the Administrator with the concurrence of the United States Trade Representative and Secretaries of State and Commerce determines that the public interest requires, then the Administrator is authorized to award to a domestic firm," and goes on with the same language. It is those kinds of minor modifications.

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□ 2030

Mr. DINGELL. There are no changes relating to any other matters than the two questions, the NASA and the NOAA authorization.

Mr. NELSON of Florida. Mr. Speaker, if the gentleman from Wyoming will yield, that is correct. The gentleman is concerned about jurisdiction of the committees, and I know of no jurisdiction that would go beyond the bounds of the Science and Technology Committee.

Mr. CHENEY. Mr. Speaker, under my reservation of objection, I yield to the gentleman from Nebraska [Mr. DAUB].

Mr. DAUB. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I am still constrained to enter an objection at this point in the evening, although I cannot say with any degree of certainty at this point that I would continue to object for the remainder of the evening. But I must let my leader know and all of the Members of the House, the Speaker as well, that when the appropriate time comes, whether it is under the gentleman's reservation or under mine since I was on my feet, at the present time to object.

Mr. CHENEY. Mr. Speaker, further reserving the right to object, I want to state at this time that the gentleman is well within his rights and prerogatives as a Member of the House.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Florida?

Mr. DAUB. Mr. Speaker, reserving the right to object, I yield to the gentleman from Florida [Mr. NELSON].

Mr. NELSON of Florida. Mr. Speaker, recognizing that the gentleman from Nebraska has some real concerns about additional legislation, that the milieu has to continue and conversations have to go on about items on the agenda, recognizing the gentleman's concerns, I withdraw my unanimous consent request.

PARLIAMENTARY INQUIRY

Mr. SEIBERLING. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SEIBERLING. Mr. Speaker, there are two bills I was going to bring up but before I do—and these are on the approved list—I would like to ask the gentleman from Nebraska what the status is now of his intentions. Is the gentleman going to object to every bill that is on the approved list?

The SPEAKER pro tempore. The Chair will state that the gentleman is essentially out of order at this point in time entering into a conversation with the gentleman. The gentleman may ask unanimous consent to address the House for 1 minute.

CLARIFICATION OF PROCEDURE ON FURTHER LEGISLATION

(Mr. SEIBERLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAUB. Mr. Speaker, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Nebraska.

Mr. DAUB. Mr. Speaker, it is my intention to deliberately proceed in the most expeditious way possible with the business of the House and to find our way shortly to a point where we may proceed even more expeditiously with the movement of unanimous-consent requests with those that are now on the list, as we are calling it, and some that may not be on the list, if it be the pleasure of any Member of the House. We are not too far from that point, I say to the gentleman.

I know that the hour is late. In fact, I have had to reschedule and cancel my airplanes all day today for the purposes we are here now gathered to dispose.

I am, unfortunately, at this point inclined to say yes to the gentleman, but do not expect it may be necessary for me to continue to be in that position for very much longer.

Mr. SEIBERLING. Does the gentleman say yes, he will object?

Mr. DAUB. At this point; but I want to explain, if the gentleman will continue to yield, that I may not be so inclined in a few more moments as time goes by.

Mr. SEIBERLING. Mr. Speaker, I would like to ask the gentleman from Wyoming, the list of bills that has been sent over from the Senate that have not been cleared for taking up on the floor are based on the fact, as I understand it, that someone has registered an objection to each one of those bills: is that correct?

Mr. CHENEY. Mr. Speaker, if the gentleman will yield, the agreement, again, worked out last night by the majority and minority leadership consisted specifically of an understanding that any bill which either side knew might be objected to would not be brought up or included on this list.

Mr. SEIBERLING. I understood that was the understanding.

My question is: Are any of the bills that were on the list that were not to be taken up so held because there is a belief that I am going to be one of the objectors?

Mr. CHENEY. If the gentleman will yield, I have no specific knowledge of what the gentleman's intentions are. Certainly in representing the minority in the process of compiling this list, I did not take into account the gentleman's expected objections to any of the legislation.

Mr. SEIBERLING. I just want to state for the record I have not registered an objection to any of the bills that have come over from the Senate, and it is not my present intention to do that.

That does not mean that if I discover something in one of them that I did not believe was there, that I might not do it, but I have no present intention to objecting to any of them. I just want to make that clear in case someone is holding a bill because they think I might object.

Mr. CHENEY. Mr. Speaker, if the gentleman will yield, perhaps if we could get that pledge from all of the Members in the Chamber, we might complete our business and be able to adjourn sooner than otherwise anticipated.

Mr. SEIBERLING. Lots of luck on that.

Mr. DAUB. Mr. Speaker, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Nebraska.

Mr. DAUB. Mr. Speaker, the interest the gentleman has in expediting legislation that has been worked on very hard by the gentleman and his close associates is commendable, and I would not be the one to stand in the way of that.

I would say to all of the Members of the body here present, and those who may be listening, that the other body, while we have been deciding over here what we were going to do, moved every one of the bills we sent over to them, and expedited the business of closing this place down, and did not play the game of objecting because we were objecting or because someone was objecting for whatever parochial reason. They acted as they should on our bills; we have yet to act on theirs as we should.

Mr. SEIBERLING. Mr. Speaker, let me say that that is not quite correct. The other body passed a bill which I am the author of, and which had passed this House twice, and after they had passed it and a motion to reconsider was laid on the table, one of the staff rushed up and said, oh, one of the Members has a hold on this who was not even present.

The SPEAKER pro tempore. The gentleman is out of order. Under the rules we are not allowed to go into specifics of Senate actions.

Mr. SEIBERLING. Mr. Speaker, the two bills which I have been asked to handle from the other body are both bills which make certain corrections in Judiciary Committee originated legislation dealing with immigration. They are technical amendments as far as I can see.

I have no interest in or any particular knowledge of the background of these bills, but being the only member of the Judiciary Committee on this side who is present tonight, that is why I stated that I was prepared to bring them up.

Let me simply say, Mr. Speaker and my colleagues, I am leaving this body. This will probably be my last day in this body. I have no axes to grind. I have no bills I am trying to leverage in the Senate. I have no bills before us

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House and is not something which will be a product of a rump session of the House of Representatives; so therefore, I would not be prepared to object to this particular unanimous-consent request.

Mr. CHENEY. Further reserving the right to object, Mr. Speaker, I am happy to yield to the gentleman from Nebraska [Mr. DAUB].

Mr. DAUB. Mr. Speaker, may I have the opportunity under the gentleman yielding to me under his reservation to engage the gentleman from Pennsylvania who just spoke in a colloquy?

The SPEAKER pro tempore. If the gentleman from Wyoming will yield.

Mr. CHENEY. Mr. Speaker, I am happy to yield to the gentleman from Nebraska for that purpose.

Mr. DAUB. Would it be my understanding, Mr. Speaker, that the gentleman from Pennsylvania because he did vote, if I recall correctly, for the tax bill, is interested in seeing the matter as sent from the House, but not as amended by the other body intervening, be the piece of legislation that we do send back for the consideration of the Senate tonight?

Mr. WALKER. Let me say to the gentleman that I did vote for the tax bill. I assumed when I voted for it that it was a product that had some careful drafting and that we knew what was in it.

I am rather shocked by the admissions that were made both on the floor yesterday and what I am hearing tonight that it was such a poorly done piece of work and that in fact it is full of errors that have to be corrected by this kind of last minute activity.

So I would say to the gentleman that what I want as an assurance is the fact that we are at least acting on something that the whole House has acted on. It is my understanding that as of yesterday we did in fact have something that went through here with the House, and at least by voice vote, approved it. That was the whole House with a quorum present acting and it seems to me that that is a far better protection for the taxpayers than, as I have described it, a rump session of the Congress, acting on something that was written by an ad hoc group this afternoon.

Mr. CHENEY. Further reserving the right to object, Mr. Speaker, it would be my intention under my reservation to yield to the gentleman from Nebraska, but I think in the spirit of comity and harmony that has been established here this evening, perhaps we could shortly wrap up this colloquy.

With that understanding, Mr. Speaker, I yield to the gentleman from Nebraska.

Mr. DAUB. Mr. Speaker, I am interested in speaking on my own at this point with respect to what I do consider to be a generous yielding on the part of the gentleman from Pennsylvania to at least have the opportunity to keep the matter alive and to see to

it that the will of the House at least is considered one more time by the other body.

□ 2115

I would like the record to show that it is my opinion of the effort that we had been making up until this point that the amendments that we were seeking to attach to return to the other body for consideration, as had been stated earlier by the gentleman from Arkansas [Mr. ANTHONY], made what we did yesterday eminently more fair; that indeed the effort that we had made in a constructive way with all of the players that should be involved in making sure that this kind of legislation is the best product of the House and of the other body worked very hard all day long to be sure that in fact whatever mistakes that we may have made—and all of us have seen mistakes made in bills that we have drafted and have come out of our own subcommittee's or committee's work—that we indeed had perfected to generic terms a number of those issues that had not been as carefully presented in the legislation as all of us would have liked, and this, if you will, would have been our second chance to do an even better job than we think we had done before.

With the spirit of comity and with the appreciation for all of those who have worked so hard to move us to this point in time, and with particular affection for the acting minority leader and his helpers who have tried to persuade me that this is a compromise in the best interests of the people of the United States, I will not object to the consideration of this legislation, and ask for all of the Members of this institution here present to refrain from objecting as well, and let the matter be sent to the other body for conclusion.

Mr. CHENEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Arkansas?

There was no objection.

A motion to reconsider was laid on the table.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1987

Mr. NELSON of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5495) to authorize appropriations to the National Aeronautics and Space Administration, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment, thereto, and concur in the Senate amendment to the House amendment to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment to the House amendment to the Senate amendment.

[For text of the Senate amendment to the House amendment to the

Senate amendment, see prior proceedings of the House of today.]

Mr. NELSON of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. CHENEY. Reserving the right to object, Mr. Speaker, I do not plan to object. It is my intention under my reservation to yield to the gentleman from Florida [Mr. NELSON] if he has anything to add at this point.

Mr. DAUB. Mr. Speaker, will the gentleman yield?

Mr. CHENEY. I yield to the gentleman from Nebraska.

Mr. DAUB. Mr. Speaker, I just want to inform the body, and particularly with great affection for my good friend from Florida for his patience this evening, that I am delighted to see this particular piece of legislation come before the House tonight for conclusion. It will be a great day for Nebraska, my State, as well as for all of the country to know that in addition to the NASA authorization, that in fact added to it is a piece of legislation that we refer to by its acronym, NOAA, that will cause satellite weather information to become available for our farmers and for those landlocked up in the Midwest as time goes by. We do appreciate all the diligent work that he has done.

I am reminded of a story that was told by Everett Dirksen about the first NASA space appropriations bill. In the final hours of the lame-duck sine die adjournment, Everett Dirksen rose to make his final plea for the Senate to vote down the NASA authorization bill. He did so asking his colleagues to consider the logic of a little story.

He said, "When I was a schoolboy back in Illinois, what we are about to do here reminds me of this story, we were gathered in the winter months, cold as it was outside around a pot-bellied stove, and the schoolmarm, she was teaching math. And during the math time, we were all cold and shivering and gathered around the pot-bellied stove, the teacher proposed this problem. She said that there was a cat, and the cat fell into a well. For every foot of progress that the cat made to get up out of the well, it fell backward 2 feet. She asked if anyone could tell her how long it would take the cat to get out of the well."

Fifteen minutes went by and the schoolmarm said, "Does anybody have the answer?"

Everett raised his hand, and you recall him, all of us do, gravely voice and hair falling over his forehead on the floor of the Senate in the 11th hour, and said, "Schoolmarm, if you give me one more slateboard, and one more slate pencil, and about 5 more minutes, I think I can land that cat in hell."

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Mr. Speaker, I will not object to the gentleman's request.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. CHENEY. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Texas.

Mr. BARTLETT. I thank the gentleman for yielding.

Mr. Speaker, I ask the gentleman to yield not on the subject of the NASA reauthorization, although I was prepared to reserve the right to object, though not finally to object, but in order to be certain that this House had the opportunity to discuss two items of an enormous emergency nature that has been testified to throughout the country and throughout the Congress—two items that are not being brought up tonight—and determine if there is some way to discuss those items on the House floor to see that they would be brought up.

Those items are, first, S. 2747, a simple extension of the Garn-St Germain Act to provide for emergency acquisitions of failed banks, plus a bridge banks, a 1984 version of an expedited funds act—an expedited funds act was passed by this House earlier—and H.R. 2443, providing for the recapitalization of FSLIC, a \$3 billion recapitalization for an emergency fund of an insurance fund that is essentially depleted, combined with a regulator's recommended emergency piece of legislation—recommended in March 1986 as a crisis and an emergency to provide for new tools to provide for failing bank holding companies, and if now would be the time for a parliamentary inquiry, I rise not out of a sense of trying to attach blame, but a sense of shared responsibility.

Mr. Speaker, under the rules that had been agreed to, it was my understanding that no one would identify who objected, but it is my understanding—and the Speaker could correct me if I am incorrect, that no one has objected to these two items, but they are not being brought forward, even though they have been passed by the other body, and in large part have been passed by this body.

Mr. CHENEY. Mr. Speaker, reclaiming my time under my reservation of objection, I feel constrained to inform the gentleman from Texas once again that the understanding that was agreed to last night by the majority and the minority in the persons of the minority leader and the Speaker was that we would meet today, we would consider those items that had been passed to the Senate, and look at what was possibly by way of bringing those to the floor. Those items where we anticipated objections or problems or controversy did not go on the list. They were not brought up. And that is an agreement that both the majority and minority up to this point have abided by.

Mr. BARTLETT. Mr. Speaker, if the gentleman would yield further—and I am trying to understand the rule and I

respect the rule, and will respect the rule—but I suppose that my concern is, these pieces of legislation have been worked on for some time, and rather diligently for the last week, to break an impasse, to bring them to the House floor. We have two bills that could break the impasse if they were brought to the House floor tonight if no one objected, which I assume that no one has.

PARLIAMENTARY INQUIRY

Mr. BARTLETT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BARTLETT. Mr. Speaker, what would be the procedure, to take them from the Speaker's table? And who would be entitled to make such a unanimous-consent request?

The SPEAKER pro tempore (Mr. Hoyer). The Chair informs the gentleman that consistent with the agreement between the leadership of our side and the leadership on his side, represented as the acting minority leader has indicated, the Chair would not be in a position nor feel authorized to recognize any Member of either side for the purposes of such a motion. That would not be consistent with the agreement which the leadership reached yesterday for the purposes of allowing us to move forward today.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield.

Mr. CHENEY. Further reserving the right to object, I yield to the gentleman from Texas.

Mr. BARTLETT. Mr. Speaker, I think that many Members of this body and most in the financial institution marketplace understand the potential urgency, the potential emergencies that could occur between now and the time this Congress reconvenes. It is not necessarily that those emergencies will happen, but it is necessarily so that we are being warned and told by those in charge of the safety and soundness of the system—and I notice that there are members of the Banking Committee here who I think would attest to that.

I read into the RECORD, for example, some descriptions, and the situation is by no means limited to these descriptions, and I would comment that the descriptions that I am going to read are probably some of the mildest descriptions of the consequences of the Congress' and the Banking Committees' of both bodies failure to act tonight.

On October 7 the chairmen of the Federal Home Loan Bank Board, the Federal Deposit Insurance Corporation, and the Federal Reserve Board had this to say about this needed legislation in a letter. They said:

"We want to express our urgent concern for final action on S. 2752"—which is included in these pieces of legislation—"with its provisions providing for recapitalization of the FSLIC, emergency acquisition of commercial banks across State lines, and

'bridge bank' authority for the FDIC. In our view"—on October 7—"it is of utmost importance that this legislation be enacted by the 99th Congress."

In particular with regard to the FSLIC recapitalization, they said:

"Further delay in supplementing the resources of the FSLIC can only add to the ultimate cost to the industry and the economy of resolving these problems and would run the clear risk"—implied in the letter between now and December 31—"of entirely depleting the primary reserves with most serious consequences."

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Mr. VENTO. Mr. Speaker, will the gentleman from Wyoming yield?

Mr. CHENEY. Further reserving the right to object, I am happy to yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I thank the gentleman for yielding and appreciate the concern of the gentleman from Texas over the failure of this Congress, this body and the other body, to act on the measures that he feels are of urgent concern.

I note the letters the gentleman was quoting from were written now some 11 days ago. I note that we had not received from the other body, in spite of the fact that we have sent to them these measures some time ago, and there had been not the necessary negotiations I think that would have achieved the type of agreement that would make possible action this evening on a consensus basis. I think we all regret that that has occurred.

We hope that the events of the next months before we meet, those of us that are fortunate enough to be re-elected in the miracle of democracy that is to take place on the first Tuesday of November, and it has been spoken that these problems will wait for that type of action, and certainly we will give the support necessary to the regulatory agencies and others that have at least acted in a good faith effort. It is too bad that this happens. Frequently measures are considered in the last weeks of a session, but it was clear to me, and I think to others, that there was not the necessary rapport established and dialog that would have resulted in a conclusion to these important issues.

I appreciate the gentleman yielding.

Mr. CHENEY. Mr. Speaker, further reserving the right to object, and it is not my intention to object, but I will say on behalf of the minority and on behalf of the leadership on both sides of the aisle who entered into a good faith agreement last night, they correctly foresaw I believe the possibility that in the closing moments of the session on controversial measures we might, in fact, get into the kind of extended partisan debate that sometimes occurs in this body, and that in an effort to avoid that, in an effort to avoid the kinds of discussions that sometimes slow the process toward ad-

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government we did arrive at an agreement that in effect took controversial measures and kept them off the floor.

I will say on behalf of the minority that the majority has indeed honored that commitment tonight. It has been more than generous and gracious and fair in the proceedings, and it would be my hope that we could shortly bring this colloquy to an end so that we can move to the last piece of legislation pending and to adjourn sine die.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. CHENEY. Further reserving the right to object, I yield to the gentleman from Texas.

Mr. BARTLETT. Mr. Speaker, I thank the gentleman for yielding.

With regard to the blame or to the responsibility, there is plenty of blame to go around. Tonight is the night for all of us to take some responsibility.

I do share with the gentleman from Minnesota that I do think up until the last few hours or few days perhaps most of the blame was to be laid at the feet of the other body. But that does not help those hundreds of thousands, perhaps millions of depositors that could be harmed by our failure to now take up legislation that had been previously agreed to by this body, that is good legislation, that everyone agrees is good legislation. It just omits some other legislation that is unrelated to it, and much legislation that I had supported. So it is not a matter of trying to place the blame. I think, in fact, that is the last thing that we should do.

The fact is that on this legislation the House has acted on it once, twice, and it is legislation that, in fact, we could act on tonight.

I would read a bit more into the RECORD. In a similar vein, the Treasury Under Secretary, George Gould, commented on this legislation that, "This Congress now faces its last opportunity to" act.

On October 7 the chairman of the House Committee on Banking, Finance and Urban Affairs, the gentleman from Rhode Island, Mr. ST GERMAIN, pointed out that, "If the Congress fails to enact H.R. 5576, it invites chaos among the Nation's system of depository institutions, a loss of confidence across a wide spectrum of the American public, and potentially heavy drains on Federal insurance funds and the ultimate prospect of direct appropriations to replenish these funds."

These are serious charges, serious matters. The fact is that there are two bills before us that the House previously generally acted on. They are items that are well thought out legislation that have been before us since last March and could be enacted.

Other members of the Committee on Banking, Finance and Urban Affairs are here tonight, and I see some of them on the floor. We are all frustrated, we all wanted more. We all wanted different things and we all sent other

items to the body, worked hard at it, and the other body did not adopt them.

But the fact of the matter is there could be an emergency before us but this House, through a series of regrettable impasses that we could not break tonight by bringing these bills from the table, has chosen to walk away from and ignore. I hope that the warning signs are only that, they are only warning signs, and I do hope that we have time to act as it well could be after the next session of Congress. I hope that is correct, and I thank the gentleman for yielding.

Mr. CHENEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. (Mr. HOYER). Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Florida?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NELSON of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would again thank the gentleman from Florida [Mr. NELSON] who was certainly faithful to his duty, but clearly a gentleman around whom great controversies swirled.

Mr. NELSON of Florida. Mr. Speaker, I want to express my eternal gratitude to the Members for their patience and all of the successful conclusion of the legislative agendas that have occurred this evening.

The SPEAKER pro tempore. The Chair also feels constrained to qualify once again, just briefly, that the agreement between the leadership on how bills got on the list was not only that the leadership had to be in agreement, but all Members had to be in agreement. I make that statement as the Chair so that there is no confusion.

It so happens that the leadership was in agreement on many of the items which perhaps are not on this list, and so it was not in certain instances the leadership in the person of the minority leader and the Acting Speaker and the Representatives of the leadership who might have disagreed. The agreement was that if any Member disagreed it would not make the list.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GILMAN, and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$1.476

ENROLLED JOINT RESOLUTION

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 738. Joint Resolution making continuing appropriations for the fiscal year 1987, and for other purposes.

SINE DIE ADJOURNMENT

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn. The motion was agreed to.

The SPEAKER pro tempore. In accordance with the provisions of House Concurrent Resolution 417, the Chair declares the second session of the 99th Congress adjourned sine die.

Thereupon (at 9 o'clock and 34 minutes p.m.) pursuant to House Concurrent Resolution 417, the House adjourned.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of October 17, 1986]

Mr. DE LA GARZA: Committee on Agriculture. Report on allocation of budget totals for fiscal year 1987 (Rept. 99-1014). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

[Submitted October 18, 1986]

Mr. MONTGOMERY: Committee on Veterans Affairs. H.R. 3747. A bill to amend chapter 30 of title 38, United States Code, to provide for educational assistance for apprenticeship or other on-job training under the All-Volunteer Force Educational Assistance Program; with amendments; referred to the Committee on Armed Services for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(c), rule X (Rept. 99-1015, Pt. 1). Ordered to be printed.